

**THE MINUTES OF THE CITY COUNCIL MEETING HELD
MONDAY, MARCH 30, 2015 AT 5:30 P.M.**

The Meeting was called to order at 5:30 p.m. Present: Council Chair Emery; Council Members: Camp, Christensen, Eskridge, Fellers, Gaylor Baird; City Clerk, Teresa J. Meier; Absent: Cook.

Council Chair Emery announced that a copy of the Open Meetings Law is posted at the back of the Chamber by the northwest door. He asked all present to stand and recite the Pledge of Allegiance and observe a moment of silent meditation.

READING OF THE MINUTES

FELLERS Having been appointed to read the minutes of the City Council proceedings of March 23, 2015, reported having done so, found same correct.

Seconded by Gaylor Baird and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

PUBLIC HEARING

COMP. PLAN CONFORMANCE 15001 - APPROVING AN AMENDMENT TO THE VAN DORN REDEVELOPMENT PLAN TO ADD THE "ROBBER'S CAVE PROJECT" TO INCLUDE THE CONSTRUCTION OF AN APPROXIMATELY 9,000 SQUARE FOOT BUILDING AND RESTORATION AND RE-OPENING OF ROBBER'S CAVE ON APPROXIMATELY 1.5 ACRES OF AREA, GENERALLY LOCATED AT 3235 SOUTH 10TH STREET - David Landis, Urban Development Director, came forward to state we have a brewer that wants to move here. They will go from 3 full-time employees to 16 full-time employees, to build about a \$1,500,000 building, & to reopen the cave for modified public access. The applicant, Brian Podwinski with Blue Blood Brewery, is here as is his architect. The Planning Commission voted unanimously & the Urban Design Committee voted in favor as well. It is in conformance with the Comprehensive Plan.

Brian Podwinski, co-founder Blue Blood Brewery, 9323 S 28th St., came forward to state they wish to move forward with this project & that if it were not for the availability of TIF funds they would not be able to do this project.

Councilman Carl Eskridge inquired if Blue Blood Brewery would be moving from their existing location on South Street.

Mr. Podwinski stated they would be moving everything to this location. Discussion followed.

Jane Kinsey, 6703 Hawkins Bend, Watchdogs of Lincoln Government, came forward to express concerns regarding the use of TIF money for this project & inquired about the following: 1) would like to know how this project fits TIF, 2) if Mr. Podwinski has presented a balance sheet to show they could not do this project without TIF funds, 3) if this project was open to the public, 4) how is it going to affect employment in the area.

Mr. Landis came forward to answer Ms. Kinsey's questions. The first thing that has to happen is declaration of a blighted & substandard area. That declaration was made by the City Council in the Van Dorn Redevelopment area. The second thing that has to occur is a Redevelopment Agreement which will be coming forward which has to meet the criteria that if not for TIF funds, this project could not move forward. Mr. Podwinski stated earlier in the public hearing that they could not do this project if it were not for TIF funds. Regarding whether this project was open to the public, this is privately-held land, not public, and, therefore, it is not a City project. Regarding employment, Mr. Podwinski has stated they hope to move from 3 full-time employees to 16 full-time employees but that is not written in any document.

Councilman Jon Camp stated that perhaps Urban Development should consider requesting the declaration of need for TIF by the developer from the start.

Rick Peo, City Attorney, came forward to clarify the resolution carries with it the authorization to use TIF. In order to use TIF, you have to make specific findings. One is it has to be in conformance with the comprehensive plan and three other findings related to the but/for test. You have to find that but for the use of TIF, this project would not occur. Secondly, but for the use of TIF, this project would not take place in this area. And, finally, there's a cost benefit analysis that it is in the best interest of the City for this to move forward. All of those are in the resolution before Council.

This matter was taken under advisement.

COMP. PLAN CONFORMANCE 15002 - APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE "SOUTH HAYMARKET REDEVELOPMENT PROJECT" TO INCREASE THE AVAILABILITY OF ON AND OFF STREET PARKING IN AN AREA GENERALLY LOCATED FROM SOUTH 7TH STREET TO SOUTH 9TH STREET, N STREET TO J STREET, AND APPROXIMATELY 3.5 ACRES OF LAND LYING SOUTHWEST OF THE INTERSECTION OF SOUTH 7TH STREET AND N STREET AND INCLUDING ALL ADJACENT RIGHTS-OF-WAY - David Landis, Urban Development Director, came forward to review this project. This identifies a project area with the redevelopment agreement to follow. It constitutes a good area of public land but also privately controlled land. This replaces the Baker Hardware building & parking lot

with 172 units, 622 beds. In order to secure financing, they need to be able to show they have parking capability so they are asking the City for parking rights in City parking facilities. We are looking at providing about 200 parking stalls throughout the parking system. Without that, they cannot do the project. The City wants them to do the project because the area is in need of development. There will be resources created by the underlying agreement. The purpose of those funds will be spent for some of the elements that are recited word for word in the redevelopment law...streets, sidewalks & parking facilities, among others. We would be able to develop a surface parking lot for about 425 parking stalls. There's an area under Rosa Parkway for about 100 surface parking stalls there. There's a third place where we might be able to get about 60. These would benefit the developer as well. Everyone in the Haymarket would like to see more parking. We could also turn some of the parallel parking into angle parking but it is very expensive to do so because you have to move curbs & any sewer lines, etc. We don't have the resources to do that except for these resources. If we do those lots without the resources from this project, we would have to push back our maintenance schedule for the elevators in the other garages. The replacement of those elevators is \$300,000 to \$400,000 per garage.

Councilman Camp inquired if the angled parking would be metered.

Mr. Landis replied in time, yes. Discussion followed.

Councilman Camp inquired about the surface lot that could create up to 400 stalls.

Mr. Landis replied that it would not be used for that immediately. It would first be used as a staging area for construction. However, there would still be room, if it were graveled, for about 300 stalls immediately. Ultimately, we would get to 425.

Councilman Camp inquired about what happens when the South Haymarket continues development, would this lot likely be a future development itself?

Mr. Landis replied yes, it would become a valuable site. What you would do is densify it up which would give you valuable land for a developer to build a multi-story building increasing value, density & getting more core City valuation & growth. Possibilities could include a parking garage, either privately-owned or City-owned. Discussion followed.

Councilman Camp inquired how the parking allocation for 600 vehicles would be divided among the City parking garages & stalls.

Mr. Landis stated it would not be 600 vehicles, it would be 200 & those would be assigned 50 in Blue 3 & 150 in a City facility, no guarantee those would be in a garage, could be a surface lot.

Mr. Camp inquired about the shuttle concept.

Mr. Landis stated the developer will have a shuttle for the students to get to the University.

Councilman Roy Christensen inquired who is borrowing the TIF money.

Mr. Landis stated there is no borrowing. The money that's generated by the taxes on this building by the agreement in the tit for tat exchange comes to the City's ability to expand in resources that we do not have now. Discussion followed.

Rick Peo, Asst. City Attorney, came forward to clarify a couple of things. One, on the space that would be a surface parking lot, currently, it is under public ownership, non-taxable. However, the County Assessor always will assign a land value to this land in the event this would be sold to a redeveloper. If that land is sold, the City would get the tax receipts from that tax increment. The private redevelopment would start a new 15 year clock. With respect to the funding, that will be coming forward with the redevelopment agreement. There would have to be a capital improvement adjustment to fund any improvements under this plan. Those dollars would be either annual cash receipts from the City or potentially the City could borrow from itself & fund a larger investment to be paid from those TIF debt revenues. There are a lot of possibilities & those will be shaken out with the redevelopment agreement when the City decides how to fund this.

Ms. Gaylor Baird inquired how sustainable is this model where we are working to find locations in the nearby area to create parking, taking stalls & setting them aside in existing garages...to what point can we continue to do that as new projects comes forward & when do we run out of capacity and if there is a risk of that, do we need to revise this strategy or do we try to create greater incentives to create parking on-site. The B-4 zoning there is no requirement that they do this but it would maximize parking downtown.

Mr. Landis replied that Ms. Gaylor Baird was referring to the South Haymarket Parking Study which falls under Planning. However, we do see a confluence of opinion on this score. Existing law in the downtown area is B-4 zoning carries no obligation for on-site parking. It incentivizes the City to provide parking. Discussion followed.

Travis Vencel, Trinitas Development, 201 E Main St., Lafayette, Indiana. Trinitas has been developing across the country for the past 30 years. Our focus is student housing. We've looked at Lincoln a number of times. This location meets our goals & we're excited to bring it forward. This will be 7 stories tall & fully amenitized. When we looked at parking, we looked at several options...going in the ground, above ground, etc. It became very difficult to make a project make financial sense but which still met the goals of B-4 zoning. And the reason that is is because B-4 zoning does not require parking. So, by definition, you don't provide parking, you look at others to provide it. Trinitas does not build a cookie cutter development. So when we looked at this project we looked at how to make it work right & we saw it was a combination of 3 things. One was car storage where residents could park a car & they might not drive it for 2 or 3 weeks. The second was some parking in a structure or surface lot. The third option was many of our residents will not need a car. They bike, walk, or use our shuttle service. We will provide shuttle service to & from campus & wherever else need dictates. For example, in Bloomington, Indiana, our shuttle service runs Monday thru Wednesday from 7a to 7p, on Thursday, Friday, & Saturday, it runs 7a to

3a, and then on Sunday it's by demand. It changes on demand by time of year. Our residents can pull up the schedule on their iPhone. We see a similar set up here. It will have a clubhouse where it's interacting with our management staff. We'll have about 13 full-time employees onsite. That interaction is very different from a traditional apartment facility. Our staff will know most of our residents by name. There will be a kiosk where they can print projects & various other items. There will be a fitness center. And then we'll have a variety of other things such as swimming pools, hot tubs, etc. It all depends on the project. Our properties are fully internet accessible which is provided in our rent. Most units will be fully furnished as well. We rent by the unit or by the bed. We do roommate matching. A 1 bedroom unit is going to be more expensive than a 4 bedroom unit. Per bed, it's going to be in the range of \$465 to \$900 per bedroom. Depends on if it's furnished or not & what kind of access it has to amenities. Discussion followed.

Kent Seacrest, Seacrest & Kalkowski, 1111 Lincoln Mall, Suite 350, came forward to state that they just want it on the record that Trinitas cannot finance the project & obtain the necessary debt financing but for the long term City parking commitment. In South Haymarket, we don't know if the traditional models are going to work. There is a lot of flood plain down there & we may not be able to develop it at the same density you're used to seeing because it requires to bring in a lot of fill & then figure out compensatory storage elsewhere so sometimes surface lots is actually a good use for flood plain land. Without TIF, this project would not move forward.

Jane Kinsey, 6703 Hawkins Bend, Watchdogs of Lincoln Government, came forward to inquire if this is JPA land what is the dollar figure the JPA would charge for the land. If this is such a big project, find it hard to understand how they need TIF. Would like to know how much of a TIF extraction they are being required to pay...the amount the developer must give back as a portion of the TIF financing to the City.

Mr. Landis came forward to state the JPA has sold some land in the past at \$15 per square foot. The developer stated that they can't obtain lending without this. And, lastly, there is no extraction because the money will be spent for a specific purpose...streets, sidewalks, & public parking facilities.

Rick Peo, Asst. City Attorney, came forward to clarify there is a misnomer that this is City TIF & this is redeveloper TIF. All the TIF belongs to the City of Lincoln. Taxes go to us. We decide in a contract what improvements are necessary, whether or not they benefit the redeveloper & they're eligible TIF improvements or whether they primarily benefit the City. And so there are some negotiations back & forth as to how you spend those TIF dollars but that's a negotiation that the City & the redeveloper enter into whether or not the project will go forward or not. But, bottom line, it's not the redevelopers money, it's the City's money. There's no extraction. Sometimes dollars have to be spent on streets & not on public enhancements. In this particular instance, one hundred percent is proposed to go to the City.

Councilman Carl Eskridge inquired how do you perceive, within the Planning Dept., this proposal as fitting under what was proposed as the vision for the South Haymarket.

David Carey, Planning Dept., came forward to state that we have projects coming in the door that are meeting the intent & the vision of the South Haymarket plan which is more residential, higher density residential to match the context of the downtown area in general. Along with that vision, we are talking a lot about making our streets function better with on-street parking, as well as with streetscaping, so that there are street trees, etc. It also includes strategies for open space in certain areas. We brought up the flood plain topic earlier & taking advantage of the fact that there is some flood plain & that's where some of the green space should & likely will be located in the future. This project & the strategy about trying to meet the needs of the project are very much in line with what we've been talking about with the South Haymarket plan. There's a varied way of trying to address the parking demands. We have visions of even more of these projects coming in & when they do the demand for parking is going to increase and that's where we're going to need to maximize on-street parking as well as some public improvements for surface & structure parking which may, or may not be, today or down the road in the future when there's a higher demand. We feel that with our varied strategy of parking services, we can meet the demands of the South Haymarket over time. Discussion followed.

This matter was taken under advisement.

AMENDING TITLE 4 OF THE LINCOLN MUNICIPAL CODE RELATING TO BOARDS AND COMMISSIONS TO CREATE A NEW CHAPTER 4.70 ENTITLED "CITY PERFORMANCE AUDIT COMMITTEE" TO ESTABLISH A PERFORMANCE AUDITING COMMITTEE DIRECTLY ANSWERABLE TO THE CITY COUNCIL, IN ORDER TO DO INDEPENDENT ASSESSMENTS OF THE PERFORMANCE OF CITY GOVERNMENT ORGANIZATIONS, PROGRAMS, ACTIVITIES, AND FUNCTIONS; IN ORDER TO IMPROVE PUBLIC ACCOUNTABILITY; AND TO FACILITATE DECISION MAKING BY PARTIES WITH RESPONSIBILITY TO INITIATE CORRECTIVE ACTION. (3/16/15 - INTRODUCTION DELAYED 1 WEEK TO 3/23/15) (REQUEST FOR WITHDRAWAL) - CLERK noted for the record, we do have a request to withdraw this item.

Mr. Fellers moved to withdraw this item. We have reintroduced it as item 37.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None. (See also under "**ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)**")

This matter was taken under advisement.

AMENDING CHAPTER 2.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CITY COUNCIL BY AMENDING SECTION 2.04.010 TO REVISE, DELETE AND ADD TO THE RULES OF THE COUNCIL PERTAINING TO THE ORGANIZATION OF THE COUNCIL, THE DUTIES OF THE CHAIR OF THE COUNCIL, AND THE RULES OF COUNCIL DECORUM, DEBATE, AND PROCEDURE, TO SET FORTH AND CLARIFY THE CURRENT PRACTICES OF THE CITY COUNCIL; DELETING SECTION 2.04.020 RELATING TO PUBLIC HEARINGS IN ORDER TO REORGANIZE THE PROVISIONS OF SAID SECTION INTO NEW SECTIONS 2.04.025, MEETINGS, CLOSED SESSIONS, AND NEW SECTION 2.04.040, AUDIBLE DEVICES PROHIBITED; AND AMENDING SECTION 2.04.030 TO CLARIFY THE NUMBER OF VOTES REQUIRED FOR FINAL ACTION ON A BILL OR MOTION - Jonathan Cook, Council Member, stated that he brought this forward to update the Council rules to better reflect what we actually do today. We've made many changes over the years & many of those changes in how we conduct business are not reflected in our written rules. I've served under 4 different City Attorney's & often when we've had ambiguous rules, different City Attorney's have come to different conclusions about what they mean so this is also an attempt to clarify those areas.

This matter was taken under advisement.

COUNCIL ACTION

REPORTS OF CITY OFFICERS

WAIVING WEED ASSESSMENTS ON A 65 FOOT BY 37.5 FOOT SLIVER OF LAND, GENERALLY LOCATED AT 4625 HIGH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88818 WHEREAS, the Lancaster County Weed Control Authority (Weed Control Authority) has authority to conduct weed control activity within the City of Lincoln pursuant to Lincoln Municipal Code § 8.46.015; and

WHEREAS, the Weed Control Authority has conducted weed abatement in 2008, 2009, and 2011 for property in the City described as:

West 65 feet of the East 205 feet of the North 37.5 feet of Lot 5 and the West 65 feet of the East 205 feet of the West Half of Lot 6, Union Addition to College View, Lincoln, Lancaster County, Nebraska ("the Parcel")

and generally located at 4625 High Street; and

WHEREAS, the total cost of the weed abatement is \$1,070.00 and a lien for said amount has been levied on the Parcel; and

WHEREAS, said Parcel was, during the times of the abatement, inaccessible, unbuildable, and had an assessed value of zero dollars; and

WHEREAS, the Parcel has now been merged with 4625 High Street; and

WHEREAS, it is in the best interest of the City to discharge the assessments and lien for the abatement activities.

NOW THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. The assessments for weed abatement levied in 2008 for \$290.00, in 2009 for \$410.00, and in 2011 for \$370.00 are hereby released and discharged.
2. The Weed Control Authority is authorized to take such steps as may be necessary to release and remove any lien from the Parcel due to weed abatement activities.
3. The Lancaster County Treasurer is authorized to remove and delete any past, present, and future billings to the owner of the Parcel for weed abatement activities in 2008, 2009, and 2011.
4. The Mayor is authorized to take such steps as may be necessary to reasonably accomplish the purpose of this resolution.
5. The City Clerk is instructed to record this resolution with the Lancaster County Register of Deeds and transmit copies of the recorded resolution to the Weed Control Authority and Chris Connolly, assistant city attorney.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND MOORE MEDICAL, LLC FOR THE ANNUAL SUPPLY OF MEDICAL, SURGICAL, AND FIRST AID SUPPLIES TO BE USED BY VARIOUS CITY DEPARTMENTS, PURSUANT TO NJPA RFP #080614-MML, FOR A FOUR YEAR TERM EFFECTIVE UPON EXECUTION BY ALL THE PARTIES - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88819 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract Agreement between the City of Lincoln and Moore Medical, LLC for the annual supply of Medical, Surgical, and First Aid Supplies for use by various departments, pursuant to NJPA RFP #080614-MML, for a four-year term effective upon execution by both parties, upon the terms and conditions as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND ALAMAR UNIFORMS FOR THE ANNUAL REQUIREMENTS FOR UNIFORM CLOTHING FOR ANIMAL CONTROL OFFICERS, PURSUANT TO QUOTE NO. 5030, FOR A FOUR-YEAR TERM - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88820 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the Contract Agreement between the City of Lincoln and Alamar Uniforms for the annual requirements for Uniform Clothing for Animal Control Officers, pursuant to Quote No. 5030, for a four-year term, upon the terms and condition as set forth in said Contract Agreement, is hereby approved and the Mayor is authorized to execute the same on behalf of the City of Lincoln.

Introduced by Carl Eskridge

Seconded by Christensen and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

CLERK'S LETTER AND MAYOR'S APPROVAL OF RESOLUTIONS AND ORDINANCES PASSED BY THE CITY COUNCIL ON MARCH 9, 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (27-1)

LINCOLN ELECTRIC SYSTEM FINANCIAL AND OPERATING STATEMENT FOR FEBRUARY 2015 - CLERK presented said report which was placed on file in the Office of the City Clerk. (40)

PETITIONS & COMMUNICATIONS

REFERRED TO PLANNING DEPARTMENT:

Change of Zone No. 15007, from R-3 Residential District and B-2 Planned Neighborhood Business District to R-4 Residential District on property generally located at North 14th Street and Indigo Road.

Change of Zone No. 15008, from AG and AGR to B-5 on property generally located at S. 84th Street and Pine Lake Road.

Special Permit No. 11013A, an amendment to renew the special permit for the excavation of soil generally located one half mile west of NW 56th Street and north of West O Street.

Special Permit No. 15014, to allow a Community Unit Plan (CUP) to allow a mix of duplexes and triplexes consisting of 22 dwelling units on approximately 2.35 acres on property located at North 14th Street and Indigo Road.

Special Permit No. 876C, to allow for the expansion of the existing club including a request to reduce the front and side yard setback requirements on property located at 631 D Street.

Text Amendment No. 15002, amending Section 27.63.200 the Lincoln Municipal Code relating to Clubs to delete the requirement that clubs be set back from all yard lines a distance of not less than one foot for each one foot of building height; and repealing Section 27.63.200 of the Lincoln Municipal Code as hitherto existing.

Use Permit No. 140E, to expand the limits of the existing use permit by approximately 17 acres to allow an automated car wash and an approximately 210,000 sq. ft. free-standing super store on property located at South 84th St. and Pine Lake Road.

PLACED ON FILE IN THE OFFICE OF THE CITY CLERK:

Administrative Amendment No. 14081 to Special Permit 1271F, Trendwood 9th Community Unit Plan (CUP) approved by the Acting Planning Director on March 13, 2015 requested by REGA Engineering to remove Outlot A, Trendwood 17th Addition from the CUP on property generally located at S. 84th Street and Karl Ridge Road.

Administrative Amendment No. 15016 to Special Permit #1302A, The Ridge Community Unit Plan (CUP), approved by the Acting Planning Director on March 20, 2015 requested by Olsson Associates to add a note clarifying the allowable placement of buildings on an outlot on property generally located at S. 27th Street and Ridge Drive.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF SMOKE DANO INC. DBA HICKORY ROAD BBQ & CATERING CO. FOR A CLASS I LIQUOR LICENSE LOCATED AT 5555 S. 48TH STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

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A-88821 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Smokem Dano Inc. DbA Hickory Road BBQ & Catering Co. For a Class I Liquor License located at 5555 S. 48th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF JARHEAD LINCOLN INC. DBA TEXAS T-BONE FOR A CLASS C LIQUOR LICENSE LOCATED AT 200 N. 70TH STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88822 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Jarhead Lincoln Inc. dba Texas T-Bone for a Class C Liquor License located at 200 N. 70th Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF STEVE O'S LOUNGE LLC DBA STEVE O'S LOUNGE FOR A CLASS C LIQUOR LICENSE LOCATED AT 110 W. FLETCHER STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88823 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Steve O's Lounge LLC dba Steve O's Lounge for a Class C Liquor License located at 110 W. Fletcher Street.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL ~~13~~ 20, 2015 AT 3:00 P.M. FOR THE APPLICATION OF SERRANO BROTHERS LLC DBA LEAF AND HOPS FOR A CLASS C LIQUOR LICENSE LOCATED AT 1332 P STREET - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88824 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April ~~13~~ 20, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Serrano Brothers LLC dba Leaf and Hops for a Class C Liquor License Located at 1332 P Street

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF LINCOLN FALAFEL LLC DBA AMSTERDAM FALAFEL & KABOB FOR A CLASS I LIQUOR LICENSE LOCATED AT 808 R ST., SUITE 201 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88825 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Lincoln Falafel LLC dba Amsterdam Falafel & Kabob for a Class I Liquor License located at 808 R St., Suite 201.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF SCHOLL REECE LLC DBA BORN IN A BARN FOR A CLASS I LIQUOR LICENSE LOCATED AT 815 O ST., SUITE 2 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88826 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of Scholl Reece LLC dba Born in a Barn for a Class I Liquor License located at 815 O St., Suite 2.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

SETTING THE HEARING DATE OF MONDAY APRIL 13, 2015 AT 3:00 P.M. FOR THE APPLICATION OF THE BAR AT THE YARD LLC DBA LONGWELL’S FOR AN UPGRADE FROM A CLASS I LIQUOR LICENSE TO A CLASS C LIQUOR LICENSE LOCATED AT 350 CANOPY STREET, SUITE 100 - CLERK read the following resolution, introduced by Trent Fellers, who moved its adoption:

A-88827 BE IT RESOLVED by the City Council, of the City of Lincoln, that a hearing date is hereby set for Monday, April 13, 2015, at 3:00 p.m. or as soon thereafter as possible in the City Council Chambers, County-City Building, 555 S. 10th St., Lincoln, NE for the Application of The Bar at the Yard LLC dba Longwell’s for an Upgrade from a Class I Liquor License to a Class C Liquor License located at 350 Canopy Street, Suite 100.

If the Police Dept. is unable to complete the investigation by said time, a new hearing date will be set.

Introduced by Trent Fellers

Seconded by Gaylor Baird and carried by the following vote; AYES: Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None; ABSENT: Camp.

LIQUOR RESOLUTIONS - NONE

PUBLIC HEARING - RESOLUTIONS

ACCEPTING THE REPORT OF NEW AND PENDING CLAIMS AGAINST THE CITY AND APPROVING DISPOSITION OF CLAIMS SET FORTH FOR THE PERIOD OF MARCH 1-15, 2015 - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

A-88828 BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

That the claims listed in the attached report, marked as Exhibit "A", dated March 16, 2015, of various new and pending tort claims filed against the City of Lincoln with the Office of the City Attorney or the Office of the City Clerk, as well as claims which have been disposed of, are hereby received as required by Neb. Rev. Stat. § 13-905 (Reissue 1997). The dispositions of claims by the Office of the City Attorney, as shown by the attached report, are hereby approved:

<u>DENIED CLAIMS</u>		<u>ALLOWED/SETTLED CLAIMS</u>	
Shawntel Myers	\$ 78.33	William & DeLoyce Harris	\$2,718.00
Jeffrey Flamme	161.90	Tin Soe	1,845.43
Luz Damaris Schon	60.23	Trumbull Services	
Debra Girardin	1,702.39	o/b/o General Casualty	
Jeff DeBoer	54.08	a/s/o Ann Tran	743.18
David Dier (Eclipse, Inc.)	210.00		
Amy Prenda	119.63		
Sam Manzitto	555.85		
Marcus Johnson	781.77		
Kimberly & Santiago Alaniz	581.74		

The City Attorney is hereby directed to mail to the various claimants listed herein a copy of this resolution which shows the final disposition of their claim.

Introduced by Carl Eskridge

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

COMP. PLAN CONFORMANCE 15001 - APPROVING AN AMENDMENT TO THE VAN DORN REDEVELOPMENT PLAN TO ADD THE “ROBBER’S CAVE PROJECT” TO INCLUDE THE CONSTRUCTION OF AN APPROXIMATELY 9,000 SQUARE FOOT BUILDING AND RESTORATION AND RE-OPENING OF ROBBER’S CAVE ON APPROXIMATELY 1.5 ACRES OF AREA, GENERALLY LOCATED AT 3235 SOUTH 10TH STREET - CLERK read the following resolution, introduced by Carl Eskridge, who moved its adoption:

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A-88829 WHEREAS, The City Council has previously adopted the Van Dorn Redevelopment Plan (hereinafter the “Plan”) including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the “Robber’s Cave Project” for the redevelopment of approximately 1.5 acres, generally located at 3235 South 10th Street with a new 9,000 square foot building and restoration and re-opening of Robber’s Cave; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the “Van Dorn Redevelopment Plan, Adding the Robber’s Cave Project” which is attached hereto, marked as Attachment “A”, and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2012); and

WHEREAS, on February 20, 2015, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on March 4, 2015 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Redevelopment Plan to add the Robber’s Cave Project, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment “B” and “C” respectively; and

WHEREAS, the proposed Amendments to the Van Dorn Redevelopment Plan to add the Robber’s Cave Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on March 4, 2015, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on March 13, 2015 and March 20, 2015, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on March 30, 2015 regarding the proposed amendments to the Van Dorn Redevelopment Plan and to add the Robber’s Cave Project, a copy of such notice having been attached hereto and marked as Attachment “D”; and

WHEREAS, on March 30, 2015 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the Robber’s Cave Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the Robber’s Cave Project into the Van Dorn Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the Robber’s Cave Project would not be economically feasible without the use of tax-increment financing.

4. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the document attached hereto as Attachment “A” adding the Robber’s Cave Project to the Van Dorn Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the Robber’s Cave Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Plan Amendment to the Lincoln Center Redevelopment Plan.

Introduced by Carl Eskridge

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

COMP. PLAN CONFORMANCE 15002 - APPROVING AN AMENDMENT TO THE LINCOLN CENTER REDEVELOPMENT PLAN TO ADD THE "SOUTH HAYMARKET REDEVELOPMENT PROJECT" TO INCREASE THE AVAILABILITY OF ON AND OFF STREET PARKING IN AN AREA GENERALLY LOCATED FROM SOUTH 7TH STREET TO SOUTH 9TH STREET, N STREET TO J STREET, AND APPROXIMATELY 3.5 ACRES OF LAND LYING SOUTHWEST OF THE INTERSECTION OF SOUTH 7TH STREET AND N STREET AND INCLUDING ALL ADJACENT RIGHTS-OF-WAY - PRIOR to reading:

GAYLOR BAIRD Moved Motion to Amend #1 to amend Bill No. 15R-58 as follows:

1. On page 3 between lines 17 and 18 add a new finding and determination number 4 to read as follows:

4. That the South Haymarket Redevelopment Project would not occur in the community redevelopment area without the use of tax increment financing.

2. On page 3, line 18 renumbering finding number 4 as number 5.

Seconded by Cook & carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

CLERK Read the following resolution, introduced by Carl Eskridge, who moved its adoption as amended:
A-88830 WHEREAS, the City Council on October 22, 1984, adopted Resolution No. A-69713 finding an area generally bounded by "R" Street, 17th Street, "F" Street, and 7th Street to be blighted, and on October 19, 1987, adopted Resolution No. A-71701 finding said area to be blighted and substandard as defined in the Nebraska Community Development Law (Neb.Rev. Stat. § 18-2101, et seq. as amended) and in need of redevelopment; and

WHEREAS, The City Council has previously adopted the Lincoln Center Redevelopment Plan (hereinafter the "Plan") including plans for various redevelopment projects within said area in accordance with the requirements and procedures of the Nebraska Community Development Law; and now desires to modify said plan by establishing the "South Haymarket Redevelopment Project" for the redevelopment of approximately 3.5 acres of land, generally located to the southwest of the intersection of South 7th Street and N Street and including all the adjacent rights-of-way, to increase the availability of on and off street parking; and

WHEREAS, the Director of the Urban Development Department has filed with the City Clerk modifications to the Redevelopment Plan contained in the document entitled the "South Haymarket Redevelopment Project" which is attached hereto, marked as Attachment "A", and made a part hereof by reference, and has reviewed said plan and has found that it meets the conditions set forth in Neb. Rev. Stat. § 18-2113 (Reissue 2012); and

WHEREAS, on February 20, 2015, a notice of public hearing was mailed postage prepaid to the president or chairperson of the governing body of each county, school district, community college, educational service unit, and natural resource district in which the real property subject to such plan is located and whose property tax receipts would be directly affected and to all registered neighborhood associations located in whole or in part within one mile radius of the area to be redeveloped setting forth the time, date, place, and purpose of the public hearing to be held on March 4, 2015 before the Lincoln City - Lancaster County Planning Commission regarding the proposed amendments to the Lincoln Center Redevelopment Plan to add the South Haymarket Redevelopment Project, a copy of said notice and list of said governing bodies and registered neighborhood associations having been attached hereto as Attachment "B" and "C" respectively; and

WHEREAS, the proposed Amendments to the Lincoln Center Redevelopment Plan to add the South Haymarket Redevelopment Project were submitted to the Lincoln-Lancaster County Planning Commission for review and recommendations, and, on March 4, 2015, the Lincoln-Lancaster County Planning Commission held a public hearing relating to the Plan Amendments and found the Plan Amendments to be in conformance with the Comprehensive Plan and recommended approval thereof; and

WHEREAS, on March 13, 2015 and March 20, 2015, a Notice of Public Hearing was published in the Lincoln Journal Star newspaper, setting the time, date, place, and purpose of the public hearing to be held on March 30, 2015 regarding the proposed amendments to the Lincoln Center Redevelopment Plan and to add the South Haymarket Redevelopment Project, a copy of such notice having been attached hereto and marked as Attachment "D"; and

WHEREAS, on March 30, 2015 in the City Council chambers of the County-City Building, 555 South 10th Street, Lincoln, Nebraska, the City Council held a public hearing relating to the proposed modifications to the Redevelopment Plan and all interested parties were afforded at such public hearing a reasonable opportunity to express their views respecting said proposed modifications to the redevelopment plan; and

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WHEREAS, the City Council has duly considered all statements made and materials submitted relating to said proposed modifications to the redevelopment plan.

NOW, THEREFORE, IT IS FOUND AND DETERMINED by the City Council of the City of Lincoln, Nebraska as follows:

1. That the South Haymarket Redevelopment Project is described in sufficient detail and is designed with the general purpose of accomplishing a coordinated, adjusted, and harmonious development of the City and its environs which will promote the general health, safety, and welfare, sound design and arrangement, the wise and efficient expenditure of public funds, and the prevention of the recurrence of unsanitary or unsafe dwelling accommodations or conditions of blight.

2. That incorporating the South Haymarket Redevelopment Project into the Lincoln Center Redevelopment Plan is feasible and in conformity with the general plan for the development of the City of Lincoln as a whole and said Plan is in conformity with the legislative declarations and determinations set forth in the Community Development Law.

3. That the South Haymarket Redevelopment Project would not be economically feasible without the use of tax-increment financing.

4. That the South Haymarket Redevelopment Project would not occur in the community redevelopment area without the use of tax increment financing.

4 5. That the costs and benefits of the redevelopment activities, including costs and benefits to other affected political subdivisions, the economy of the community, and the demand for public and private services have been analyzed by the City Council as the governing body for the City of Lincoln and have been found to be in the long-term best interest of the City of Lincoln.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Lincoln, Nebraska:

1. That the document attached hereto as Attachment "A" adding the South Haymarket Redevelopment Project to the Lincoln Center Redevelopment Plan, is hereby accepted and approved by the City Council as the governing body for the City of Lincoln.

2. That the Urban Development Director, or his authorized representative, is hereby authorized and directed to take all steps necessary to implement the provisions of said Redevelopment Plan as they relate to the above-described modifications.

3. That the South Haymarket Redevelopment Project Area as described and depicted in the Plan Amendment is the Redevelopment Project Area comprising the property to be included in the area subject to the tax increment provision authorized in the Nebraska Community Development Law.

4. That the Finance Director is hereby authorized and directed to cause to be drafted and submitted to the City Council any appropriate ordinances and documents needed for the authorization to provide necessary funds including Community Improvement Financing in accordance with the Community Development Law to finance related necessary and appropriate public acquisitions, improvements, and other activities set forth in said Plan Amendment to the Lincoln Center Redevelopment Plan.

Introduced by Carl Eskridge

Seconded by Fellers and carried by the following vote; AYES: Camp, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: Christensen.

ORDINANCES - 2ND READING & RELATED RESOLUTIONS (as required)

AMENDING TITLE 4 OF THE LINCOLN MUNICIPAL CODE RELATING TO BOARDS AND COMMISSIONS TO CREATE A NEW CHAPTER 4.70 ENTITLED "CITY PERFORMANCE AUDIT COMMITTEE" TO ESTABLISH A PERFORMANCE AUDITING COMMITTEE DIRECTLY ANSWERABLE TO THE CITY COUNCIL, IN ORDER TO DO INDEPENDENT ASSESSMENTS OF THE PERFORMANCE OF CITY GOVERNMENT ORGANIZATIONS, PROGRAMS, ACTIVITIES, AND FUNCTIONS; IN ORDER TO IMPROVE PUBLIC ACCOUNTABILITY; AND TO FACILITATE DECISION MAKING BY PARTIES WITH RESPONSIBILITY TO INITIATE CORRECTIVE ACTION.
(3/16/15 - INTRODUCED DELAYED 1 WEEK TO 3/23/15) - PRIOR to reading:

FELLERS Moved to Withdraw Bill No. 15-41.

Seconded by Christensen and carried by the following vote: AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers, Gaylor Baird; NAYS: None.

The ordinance, having been **WITHDRAWN**, was assigned the File #38-4660 & was placed on file in the Office of the City Clerk."

AMENDING CHAPTER 2.04 OF THE LINCOLN MUNICIPAL CODE RELATING TO THE CITY COUNCIL BY AMENDING SECTION 2.04.010 TO REVISE, DELETE AND ADD TO THE RULES OF THE COUNCIL PERTAINING TO THE ORGANIZATION OF THE COUNCIL, THE DUTIES OF THE CHAIR OF THE COUNCIL, AND THE RULES OF COUNCIL DECORUM, DEBATE, AND PROCEDURE, TO SET FORTH AND CLARIFY THE CURRENT PRACTICES OF THE CITY COUNCIL; DELETING SECTION 2.04.020 RELATING TO PUBLIC HEARINGS IN ORDER TO REORGANIZE THE PROVISIONS OF SAID SECTION INTO NEW SECTIONS 2.04.025, MEETINGS, CLOSED SESSIONS, AND NEW SECTION 2.04.040, AUDIBLE DEVICES PROHIBITED; AND AMENDING SECTION 2.04.030 TO CLARIFY THE NUMBER OF VOTES REQUIRED FOR FINAL ACTION ON A BILL OR MOTION - CLERK read an ordinance, introduced by Carl Eskridge, amending Chapter 2.04 of the Lincoln Municipal Code relating to the City Council by amending Section 2.04.010 to

revise, delete, and add to the Rules of the council pertaining to the Organization of the Council, the Duties of the Chair of the Council, and the Rules of Council Decorum, Debate, and Procedure, to set forth and clarify the current practices of the City Council; deleting Section 2.04.020 relating to Public Hearings in order to reorganize the provisions of said section into new sections 2.04.040, Audible Devices Prohibited, and 2.04.050, Meetings, Closed Sessions; and amending Section 2.04.030 to clarify the number of votes required for final action on a Bill or motion; and repealing Sections 2.04.010 and 2.04.030 of the Lincoln Municipal Code as hitherto existing, the second time.

ORDINANCES - 3rd READING & RELATED RESOLUTIONS (as required)

APPROVING THE LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, NEBRASKA GOLF AND TURF, AND EXCHANGE BANK FOR THE LEASE OF 120 GOLF CARTS AND FIVE UTILITY VEHICLES FOR USE BY THE LINCOLN PARKS AND RECREATION GOLF DIVISION - CLERK read an ordinance, introduced by Jonathan Cook, accepting and approving a Master Lease Agreement between the City of Lincoln, Nebraska, Nebraska Golf and Turf, Inc., and Exchange Bank for the lease of 120 golf carts and five utility vehicles for use by the City of Lincoln Parks and Recreation Golf Division for a six-year term, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **20174**, is recorded in Ordinance Book 29.

ANNEXATION 15002 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 10.27 ACRES OF PROPERTY GENERALLY LOCATED AT TALLGRASS PARKWAY AND ASTER ROAD. (RELATED ITEMS: 15-42, 15-43) - CLERK read an ordinance, introduced by Jonathan Cook, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **20175**, is recorded in Ordinance Book 29.

CHANGE OF ZONE 05085B - AMENDING THE FALLBROOK PLANNED UNIT DEVELOPMENT BY EXPANDING THE BOUNDARY OF THE PUD BY APPROXIMATELY 10.27 ACRES; APPROVING A CHANGE OF ZONE ON SAID 10.27 ACRES FROM AG AGRICULTURAL DISTRICT TO R-3 RESIDENTIAL DISTRICT; DESIGNATING SAID 10.27 ACRES AS A PLANNED UNIT DEVELOPMENT DISTRICT; AND APPROVING AN AMENDED DEVELOPMENT PLAN WHICH PROPOSES MODIFICATIONS TO THE ZONING ORDINANCE AND LAND SUBDIVISION ORDINANCE TO ALLOW A TOWNHOUSE DEVELOPMENT EAST OF TALLGRASS PARKWAY CONSISTING OF 36 DWELLING UNITS, ON PROPERTY GENERALLY LOCATED AT TALLGRASS PARKWAY AND ASTER ROAD. (RELATED ITEMS: 15-42, 15-43) - CLERK read an ordinance, introduced by Jonathan Cook, amending the Lincoln Zoning District Maps attached to and made a part of Title 27 of the Lincoln Municipal Code, as provided by Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **20176**, is recorded in Ordinance Book 29.

APPROVING THE TRANSFER OF UNSPENT AND UNENCUMBERED APPROPRIATIONS AND CASH (IF ANY) BETWEEN CERTAIN CAPITAL IMPROVEMENT PROJECTS WITHIN THE STREET CONSTRUCTION FUND FOR THE PUBLIC WORKS & UTILITIES DEPARTMENT - CLERK read an ordinance, introduced by Jonathan Cook, to appropriate certain projects within the Fiscal Year 2014-2015 Capital Improvement Program and to eliminate certain appropriations and approve the transfer of unspent and unencumbered appropriations and cash (if any) between certain capital improvement projects within the Street Construction Fund for the Public Works & Utilities Department, the third time.

COOK Moved to pass the ordinance as read.

Seconded by Fellers and carried by the following vote: AYES: Camp, Christensen, Cook, Eskridge, Emery, Fellers, Gaylor Baird; NAYS: None.

The ordinance, being numbered **20177**, is recorded in Ordinance Book 29.

RESOLUTIONS - 1ST READING

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND US LAWN'S FOR MOWING LINCOLN WATER SYSTEM PROPERTY IN ASHLAND, PURSUANT TO QUOTE NO. 5045, FOR A FOUR YEAR TERM.

APPROVING A CONTRACT AGREEMENT BETWEEN THE CITY OF LINCOLN AND US LAWN'S FOR MOWING AT FIRE STATION 14, PURSUANT TO QUOTE NO. 5057, FOR A FOUR YEAR TERM.

APPROVING THE RENEWAL OF AN INTERLOCAL AGREEMENT BETWEEN THE CITY OF LINCOLN AND THE BOARD OF REGENTS OF THE UNIVERSITY OF NEBRASKA TO PROVIDE, MAINTAIN, AND UPDATE ONLINE FOOD HANDLER TRAINING PROGRAM.

APPROVING AN AMENDMENT TO THE ANNEXATION AGREEMENT BETWEEN THE CITY OF LINCOLN AND FT DEVELOPMENT II, INC. REGARDING COST RESPONSIBILITIES FOR MUNICIPAL SERVICES ASSOCIATED WITH THE ANNEXATION, MAINTENANCE RESPONSIBILITIES, AND OTHER APPROPRIATE MATTERS RELATED TO THE DEVELOPMENT OF LAND WITHIN THE PREVIOUSLY APPROVED FIRETHORN CUP ON PROPERTY GENERALLY LOCATED AT VAN DORN STREET FROM 84TH STREET TO 91ST STREET. (RELATED ITEMS: 15-51, 15-52, 15R-65, 15R-66)

ORDINANCES - 1ST READING & RELATED RESOLUTIONS (as required)

ACCEPTING AND APPROVING AN AMENDMENT TO THE LEASE AGREEMENT BETWEEN THE CITY OF LINCOLN, ON BEHALF OF THE LINCOLN-LANCASTER COUNTY HEALTH DEPARTMENT AND ENTERPRISE COMPANY, INC TO LEASE ADDITIONAL SPACE AT THE CURRENT 27TH AND CORNHUSKER HIGHWAY WIC CLINIC AND EXTEND THE TERM OF THE LEASE AGREEMENT UNTIL OCTOBER 31, 2018 - CLERK read an ordinance, introduced by Trent Fellers, accepting and approving an Amendment to the Lease Agreement between the City of Lincoln, on behalf of the Lincoln-Lancaster County Health Department and Enterprise Company, Inc. to lease additional space at the current 27th and Cornhusker Highway WIC Clinic and extend the term of the lease agreement until October 31, 2018, the first time.

APPROVING A CONTRACT BETWEEN THE CITY OF LINCOLN AND LINCOLN HAYMARKET DEVELOPMENT CORPORATION TO CONDUCT AND REGULATE A SATURDAY PUBLIC MARKET IN THE HAYMARKET AREA, 7TH STREET FROM P TO Q STREETS AND P STREET FROM 7TH TO 8TH STREETS FROM MAY 2, 2015 THROUGH OCTOBER 10, 2015; Q STREET FROM 7TH TO CANOPY STREETS AND CANOPY STREET FROM P TO Q STREETS FROM MAY 2, 2015 THROUGH OCTOBER 10, 2015; AND ON 8TH STREET FROM P TO Q STREETS FROM MAY 2, 2015 THROUGH AUGUST 29, 2015 - CLERK read an ordinance, introduced by Trent Fellers, accepting and approving the Contract between the City of Lincoln, Nebraska, a municipal corporation, and the Lincoln Haymarket Development Corporation for establishment and regulation of a Saturday public market in the Haymarket area, 7th Street from P to Q Streets; P Street from 7th to 8th Streets; Q Street from 7th to Canopy Streets; and under the Canopy along Canopy Street from P to Q Streets; from May 2, 2015 through October 10, 2015, and on 8th Street from P to Q Street from May 2, 2015 through August 29, 2015, and authorizing the Mayor to sign such Contract on behalf of the City, the first time.

COMP. PLAN CONFORMANCE 15003 - DECLARING APPROXIMATELY 6,668 SQUARE FEET OF PROPERTY GENERALLY LOCATED AT NORTH 12TH STREET AND Y STREET AS SURPLUS PROPERTY. (RELATED ITEMS: 15-47, 15-48, 15-49) - CLERK read an ordinance, introduced by Trent Fellers, declaring approximately 6,668 square feet of City owned property generally located at North 12th Street and Y Street as surplus, the first time.

CHANGE OF ZONE 15006 - APPLICATION OF 1100 Y, LLC FOR A CHANGE OF ZONE FROM P PUBLIC USE DISTRICT TO R-8 RESIDENTIAL DISTRICT ON PROPERTY GENERALLY LOCATED AT NORTH 12TH STREET AND Y STREET. (RELATED ITEMS: 15-47, 15-48, 15-49) - CLERK read an ordinance, introduced by Trent Fellers, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

APPROVING A REAL ESTATE SALES AGREEMENT BETWEEN THE CITY OF LINCOLN AND 1100 Y, LLC AUTHORIZING THE SALE OF CITY OWNED SURPLUS PROPERTY GENERALLY LOCATED ON THE EAST SIDE OF NORTH 12TH STREET BETWEEN Y AND CHARLESTON STREETS. (RELATED ITEMS: 15-47, 15-48, 15-49) - CLERK read an ordinance, introduced by Trent Fellers, approving a Real Estate Sales Agreement between the City of Lincoln and 1100 Y, LLC authorizing the sale of City owned property generally located on the east side of North 12th Street between Y and Charleston Streets, Lincoln, Nebraska, the first time.

ANNEXATION 15003 - AMENDING THE LINCOLN CORPORATE LIMITS MAP BY ANNEXING APPROXIMATELY 59.72 ACRES OF PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND VAN DORN STREET. (RELATED ITEMS: 15-51, 15-52, 15R-65, 15R-66) - CLERK read an ordinance, introduced by Trent Fellers, annexing and including the below described land as part of the City of Lincoln, Nebraska and amending the Corporate Limits Map attached to and made a part of Ordinance No. 18208, to reflect the extension of the corporate limits boundary of the City of Lincoln, Nebraska established and shown thereon, the first time.

CHANGE OF ZONE 15005 - APPLICATION OF FT DEVELOPMENT II, INC. FOR A CHANGE OF ZONE FROM AGR AGRICULTURAL RESIDENTIAL TO R-1 RESIDENTIAL, FROM AGR AGRICULTURAL RESIDENTIAL TO O-3 OFFICE PARK, AND FROM O-3 OFFICE PARK TO R-1 RESIDENTIAL ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH STREET AND VAN DORN STREET. (RELATED ITEMS: 15-51, 15-52, 15R-65, 15R-66) - CLERK read an ordinance, introduced by Trent Fellers, amending the Lincoln Zoning District Maps adopted by reference and made a part of Title 27 of the Lincoln Municipal Code, pursuant to Section 27.05.020 of the Lincoln Municipal Code, by changing the boundaries of the districts established and shown thereon, the first time.

USE PERMIT 15005 - APPLICATION OF FT DEVELOPMENT II, INC. FOR A USE PERMIT TO ALLOW AN OFFICE PARK HAVING APPROXIMATELY 225,000 SQ. FT. OF OFFICE FLOOR AREA THAT COULD ALTERNATELY BE DEVELOPED AS A 150-UNIT APARTMENT COMPLEX, WITH A WAIVER TO SETBACKS, ON PROPERTY GENERALLY LOCATED AT SOUTH 84TH AND VAN DORN STREETS. (RELATED ITEMS: 15-51, 15-52, 15R-65, 15R-66) (ACTION DATE: 4/13/15)

AMENDING CHAPTER 4.66 OF THE LINCOLN MUNICIPAL CODE TO REDESIGNATE THE "CITY AUDIT ADVISORY BOARD" AS THE "CITY PERFORMANCE AUDIT COMMITTEE" BY REVISING AND DELETING CURRENT DEFINITIONS; ESTABLISHING SAID COMMITTEE AND ITS MEMBERSHIP; PROVIDING FOR THE MEMBERS' TERM OF SERVICE AND CONDITIONS FOR REMOVAL FROM OFFICE; DEFINING THE DUTIES AND POWERS OF THE COMMITTEE; PROVIDING THAT THE COMMITTEE MEET REGULARLY ON AT LEAST A QUARTERLY BASIS; AND REPLACING REFERENCES TO 'BOARD' WITH 'COMMITTEE' - CLERK read an ordinance, introduced by Trent Fellers, amending Chapter 4.66 of the Lincoln Municipal Code to redesignate the "City Audit Advisory Board" as the "City Performance Audit Committee" by amending Section 4.66.020 to revise and delete current definitions; amending Section 4.66.030 to establish said Committee and its membership; adding a new section numbered 4.66.035 to provide for the members' term of service and conditions for removal from office; amending Section 4.66.040 to define the duties and powers of the Committee; amending Section 4.66.050 to provide that the Committee meet regularly on at least a quarterly basis; amending Section 4.66.070 to simplify conflict of interest language; amending Sections 4.66.060, 4.66.090, 4.66.100, 4.66.110, and 4.66.120 to replace references to 'Board' with 'Committee'; and repealing Sections 4.66.020, 4.66.030, 4.66.040, 4.66.050, 4.66.060, 4.66.070, 4.66.090, 4.66.100, 4.66.110, and 4.66.120 of the Lincoln Municipal Code as hitherto existing, the first time.

OPEN MICROPHONE - NONE

ADJOURNMENT

7:02 P.M.

CHRISTENSEN Moved to adjourn the City Council Meeting of March 30, 2015.

Seconded by Fellers and carried by the following vote; AYES: Camp, Christensen, Cook, Emery, Eskridge, Fellers; Gaylor Baird; NAYS None.

Teresa J. Meier, City Clerk

